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Date of Deposit: January 5, 2001



#3

Our Case No. 8285/347

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Wilbur J. Walkoe, Jr. et al.)
)
Serial No. 09/533,263) Examiner: Unassigned
)
Filing Date: March 17, 2000) Group Art Unit No. 2739
)
For TELECOMMUNICATION SYSTEM,)
METHOD AND SUBSCRIBER UNIT)
FOR USE THEREIN)

PETITION UNDER 37 C.F.R. §1.47 AND MPEP §409.03(a) TO ACCEPT APPLICATION WHERE A JOINT INVENTOR HAS REFUSED TO SIGN

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants respectfully petition for acceptance of the of the enclosed Declaration under 37 C.F.R. §1.47 and MPEP §409.03(a). Enclosed is the petition fee set forth in 37 C.F.R. §1.17(i). One joint inventor, James Barber, has refused to sign the Declaration for the above-referenced patent application after being presented with the application and Declaration. As set forth in MPEP §409.03(a), the following is enclosed:

- (A) A Declaration signed by all of the available joint inventors with the signature block of the non-signing inventor (Mr. Barber) left blank.
- (B) A Declaration of facts regarding Mr. Barber's refusal to execute the application papers;
- (C) The last known address of Mr. Barber is as follows:

Work

01/10/2001 MLAKEM1 00000025 09533263

02 FC:122

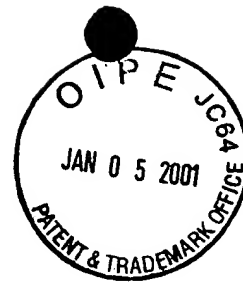
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SAIC
10260 Campus Point Drive
San Diego, California 92121

01/10/2001 MLAKEM1 00000024 09533263 130.00 OP
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Home

1528 Virginia Way
La Jolla, CA 92037



Acceptance of the enclosed Declaration is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kent E. Genin", written over a horizontal line.

Kent E. Genin
Registration No. 37,834
Attorney for Applicants

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